

ARTICLE VI. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 10-601. Adoption of the 2003 International Property Maintenance Code and all amendments thereto.

(a) Except as otherwise provided in this article, the 2003 International Property Maintenance Code (hereinafter referred to as the Property Maintenance Code) is hereby incorporated into the Code of the City with the same force and effect as if fully set out in this subsection.

(b) The Property Maintenance Code shall not become effective until at least three (3) copies thereof have been filed in the office of the City Clerk for examination by the public.

(c) Add Section 302.3.1 *Legal non-conforming gravel driveways and parking areas*. Gravel driveways and parking areas have been prohibited by the Zoning Ordinance (Chapter 22) since 1966. It is presumed by the City that that all gravel driveways and parking areas are of an illegal, non-conforming status. It is the duty of the property owner to prove the legal non-conforming status of their driveway. Any such parking area or driveway must have been in existence prior to March 1973. In order for such parking areas to maintain their legal non-conforming status, the following procedures should be followed:

- Evidence shall be provided that documents the existence of the non-conforming surface before 1973. One (1) method would be to utilize the City's photographic archives to document the location and extent of surfacing.

- Gravel surfaces must be kept substantially free of any grass or weeds.

- Gravel surfaces may not be expanded beyond established borders. The best method to ensure compliance would be to create permanent or semi-permanent borders that could be visually verified should complaints arise.

- In order to comply with the requirement that parking areas be substantially mud- and dust-free, gravel should be maintained so that at least three (3) inches of material covers the entire parking and driveway area.

If a complaint is received that an owner is violating any provision of this section, a notice violation will be sent. Failure to correct the violation within the prescribed time frame will result in the filing of charges. Upon conviction or a plea of nolo contendere, the property will lose its non-conforming status as a gravel parking surface. If the owner fails to file a complete application for a special exception for gravel surfacing from the Board of Adjustment within ten (10) days of that court decision, the loss of that non-conforming status is considered final. If a special exception is not granted by the Board of Adjustment, the gravel parking area and driveway must be removed or brought into compliance with the current ordinance within one hundred eighty (180) days.

(Ord. No. 0-0405-25, § 4; Ord. No. 0-0506-41)

Sec. 10-602. Amendments to the 2003 International Property Maintenance Code.

(a) Amend Chapter 1, Section 107.3(2) as follows: At least ten (10) days' notice shall be given to the property owner or mortgage holder and the City shall obtain a receipt of mailing from the postal service indicating the date of mailing and the name and address of the mailer.

(b) Amend Chapter 1, Section 107.3(3) as follows: A copy of the notice shall also be posted on the property to be affected.

(c) Amend Chapter 1, Section 111 MEANS OF APPEAL as follows: delete sections 111.1 through 111.8 and replace with new section 111.1 which states "All appeals shall

be made in accordance with Chapter 4, Article XVI of the Code of Ordinances for the City of Norman, Oklahoma.

(Ord. No. 0-0405-25, § 4; Ord. No. 0-0910-7, § 1)

Sec. 10-603. Penalties.

(a) Any person convicted of violating the provisions of any section or subsection of this article shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00), or by imprisonment not to exceed sixty (60) days, or by both such fine and imprisonment. Each time such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(b) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense, and any one (1) or more of such offenses may be set out in any complaint or information filed.

(Ord. No. 0-0405-25; Ord. No. 0-0506-10)